

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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N.R. et al.,

Plaintiff(s),

v.

CLARK COUNTY SCHOOL DISTRICT,
et al.,

Defendant(s).

Case No. 2:13-CV-1443 JCM (VCF)

ORDER

Presently before the court are the report and recommendation of Magistrate Judge Ferenbach. (Doc. # 85). No objections were filed, and the deadline for filing objections has passed.

Magistrate Judge Ferenbach recommended that plaintiff-petitioner Audrey Rosenstein's amended petition for compromise of minor's claim on behalf of plaintiff minor child, N.R.¹ (doc. # 80), be granted.

This court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(b)(1). Where a party timely objects to a magistrate judge's report and recommendation, then the court is required to "make a de novo determination of those portions of the [report and recommendation] to which objection is made." 28 U.S.C. § 636(b)(1).

Where a party fails to object, however, the court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149

¹ Pursuant to Fed. R. Civ. P. 5.2(a)(3), the minor plaintiff will be referred to herein by his initials, N.R.

1 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a
2 magistrate judge's report and recommendation where no objections have been filed. *See United*
3 *States v. Reyna-Tapia*, 328 F.3d 1114 (9th Cir.2003) (disregarding the standard of review
4 employed by the district court when reviewing a report and recommendation to which no
5 objections were made); *see also Schmidt v. Johnstone*, 263 F.Supp.2d 1219, 1226 (D. Ariz. 2003)
6 (reading the Ninth Circuit's decision in *Reyna-Tapia* as adopting the view that district courts are
7 not required to review "any issue that is not the subject of an objection."). Thus, if there is no
8 objection to a magistrate judge's recommendation, then this court may accept the recommendation
9 without review. *See, e.g., Johnstone*, 263 F. Supp. 2d at 1226 (accepting, without review, a
10 magistrate judge's recommendation to which no objection was filed).

11 Nevertheless, this court finds it appropriate to engage in a de novo review to determine
12 whether to adopt the recommendation of the magistrate judge. Upon reviewing the
13 recommendation and underlying briefs, this court finds good cause appears to ADOPT the
14 magistrate judge's findings in full.

15 Accordingly,

16 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the report and
17 recommendation of Magistrate Judge Ferenbach, (doc. # 85), are ADOPTED in their entirety.

18 DATED July 28, 2015.

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20 UNITED STATES DISTRICT JUDGE
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